



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

January 6, 2010

The Honorable Terry Goddard
Office of the Attorney General
1275 West Washington Street
Phoenix, Arizona 85007

Dear Attorney General Goddard:

I received your letter declining my request for a legal analysis of certain provisions in the federal health care bill that would appear to violate the constitutional rights of Arizona's citizens if passed. While I am certain you did not intend to make light of this momentous issue for our State, I respectfully submit that your offhanded dismissal of the matter is contrary to the best interest of Arizonans and warrants reconsideration on your part.

Your letter implies that you do not deem this an urgent matter, nor will you review the legality of the federal legislation unless it becomes law. Employing a "wait and see" approach with potentially billions of Arizona taxpayer dollars at stake is irresponsible and shortsighted. If passed by congress, Arizona taxpayers will be burdened with an unprecedented injustice that will result in a massive and costly legal battle that our State can ill-afford at this time. More importantly, the proposed legislation goes to the heart of our federal-state form of government and violates the letter, the spirit, and the interpretation of the U.S. Constitution by exceeding the constitutional authority of the federal government and violating the states' rights that are at the very foundation of our constitutional form of government.

Prudence demands you join the bipartisan group of now fourteen other Attorneys General and act swiftly to take steps to prevent this unconstitutional proposal from taking effect. For these reasons, I again call upon you, as the State of Arizona's chief legal officer, to review the constitutionality of this legislation on behalf of the citizens of our State. Our citizens deserve a proactive and bipartisan approach to this critical issue, and I look forward to working with you to achieve a successful result on their behalf.

Sincerely,

Janice K. Brewer
Governor

JB: jb/cs